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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

HOOPA VALLEY TRIBE,

Plaintiff,

v.

UNITED STATES BUREAU OF  
RECLAMATION; DAVID BERNHARDT,  
in his official capacity as Secretary of the  
Interior; BRENDA BURMAN, in her  
official capacity as Commissioner of the  
United States Bureau of Reclamation;  
ERNEST CONANT, in his official capacity  
as U.S. Bureau of Reclamation California-  
Great Basin Regional Director; and UNITED  
STATES DEPARTMENT OF THE  
INTERIOR

Defendants.

Case No. 1:20-cv-01814-DAD-EPG

**MOTION TO STAY**

The Federal Defendants, with the consent of the Hoopa Valley Tribe (the “Tribe”), request a stay of this case so that the parties can continue to engage in settlement discussions without the threat of active litigation.

The Court has “broad discretion to stay proceedings as an incident to its power to control its own docket.” *Clinton v. Jones*, 520 U.S. 681, 706 (1997). The following factors are considered when weighing a motion to stay: “the possible damage which may result from the granting of a stay, the hardship or inequity which a party may suffer in being required to go forward, and the orderly course of justice measured in terms of the simplifying or complicating of issues, proof, and questions of law which could be expected to result from a stay.” *Lockyer v. Mirant Corp.*, 398 F.3d 1098, 1110 (9th Cir. 2005). Here, the Federal Defendants and the Tribe agree that their resources will be best served by attempting to settle this litigation rather than actively litigating it. Moreover, the Federal Defendants and the Tribe believe the Court’s time and resources will be conserved by granting a stay.

For these reasons, the Federal Defendants and the Tribe request a stay of these proceedings through January 3, 2022.

DATED: August 27, 2021.

Respectfully submitted,

TODD KIM, Assistant Attorney General  
United States Department of Justice  
Environment & Natural Resources Division

/s/ J. Scott Thomas  
JEFFREY SCOTT THOMAS  
Trial Attorney  
U.S. Department of Justice  
*Counsel of Record for the Federal Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on August 27, 2021, I electronically filed the foregoing Motion to Stay with the Clerk of the Court using the CM/ECF system, which will send a notification of the filing to all parties.

/s/ J. Scott Thomas  
JEFFREY SCOTT THOMAS